

REMARKS

This application has been carefully reviewed in light of the Office Action dated January 12, 2005. Claims 24 to 38 are in the application with Claims 1 to 23 having been canceled and new Claims 24 to 38 having been added. Claims 24, 29 and 34 are the independent claims. Reconsideration and further examination are respectfully requested.

Turning first to a formal matter involving Applicants' claim to foreign priority, Applicants acknowledge page 2 of the Office Action, which confirms receipt of the certified copies of the priority applications, which were filed on July 2, 2001. The Office Action Summary, however, included a checkmark in paragraph 12 appropriate for PCT-based applications, which is inconsistent with the procedural posture of this case. It is thought that this is a mere clerical oversight, but if correction is needed to perfect Applicants' claim to foreign priority, then correction is respectfully requested.

Turning to the merits of the Office Action, all of original Claims 1 to 23 were rejected based on cited art. Those claims have been cancelled without prejudice or disclaimer of subject matter, and without conceding the correctness of the rejections applied against them, and new Claims 24 to 38 substituted therefor. Claims 24 to 38 are believed to define patentable subject matter, as explained more fully herein below.

The claims are directed to the outputting of a processed file which is formed using an application. In particular, the claims are directed to calculation of a charge for use of the application on the basis of the amount of output product obtained by output processing of the file. One example of the invention is described in terms of a representative embodiment beginning at line 24 on page 16. As described there, there is a fee required for output processing of a file prepared by utilizing an application, such as a fee for a printing process, and e-mail transmission or a facsimile transmission. A multi-

function peripheral 3 calculates the application use fee based on an amount of output product obtained by output processing of the file.

The art applied against now-cancelled Claims 1 to 23 is not seen to disclose or to suggest at least the foregoing arrangement. The patent to Kolls merely teaches payment of a charge for use of a system by a prepaid card or coins. The patent to Kuzma discloses to collect a download fee from a user and to collect advertisement rates from a provider. The patent to Crawford discloses to charge a client for information on the basis of a unit price per time period (such a per minute or per month) or a unit price per read-amount from a disk. The patent to Suzuki discloses to charge a usage fee for information on the basis of a list of charges, in which the usage fee is set in accordance of recency of information distribution or in accordance with contents of the information. The patent to Ferguson discloses to charge a transmission fee of a message on the basis of a digital stamp whose value changes in accordance with contents of the message.

Thus, as Applicants understand it, none of the cited patents teach at least the claimed feature of a calculation of a charge for use of an application on the basis on the amount of output product obtained by output processing of file produced by the application.

It is therefore respectfully submitted that the claims herein recite subject matter patentable over the art of record, and allowance of the claims is therefore respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



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